



*United States Attorney
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**COLUMBIA UNIVERSITY PAYS \$480,000
TO SETTLE FEDERAL CIVIL HEALTH CARE FRAUD CHARGES**

JAMES B. COMEY, the United States Attorney for the Southern District of New York, announced today that COLUMBIA UNIVERSITY ("COLUMBIA") has agreed to pay \$480,000 to resolve civil charges that COLUMBIA defrauded the Government in connection with payments it received from Medicare, New York State Medicaid and CHAMPUS/Tricare Programs for claims for services provided to patients by physicians in the COLUMBIA Department of Surgery and for services provided by an immunologist to transplant patients treated by COLUMBIA surgeons. United States District Judge JOHN F. KEENAN approved the settlement today in Manhattan federal court.

The allegations of improper billing were brought to the attention of the Government by a whistle blower who filed suit under the qui tam provisions of the federal False Claims Act.

The Complaint filed by the United States charges that COLUMBIA submitted claims for payment by Medicare for patients

who had undergone lung transplants falsely stating that the services performed were pneumonectomies, which are procedures to excise or remove lung tissue. During the relevant time period, Medicare did not pay for lung transplants performed on Medicare patients at the hospital where the COLUMBIA surgeons performed the transplants. Accordingly, COLUMBIA would not have been paid if the services were accurately identified as lung transplants on the claims submitted to Medicare.

The Complaint also alleges that COLUMBIA billed Medicare, Medicaid and CHAMPUS/Tricare under the names of COLUMBIA surgeons for perfusion services provided to heart transplant patients to stabilize the patient while the heart is stopped for surgery, when in fact the services were performed by technicians employed by the hospital on equipment owned by the hospital where the COLUMBIA surgeons performed the transplants.

The Complaint also alleges that COLUMBIA billed Medicare for in-patient and out-patient evaluation and management services, and pathology consultation services using inflated reimbursement codes -- a practice known as "upcoding."

The \$480,000 recovery will go to reimburse the defrauded federal and state programs and a portion to the whistleblower. In agreeing to the settlement, COLUMBIA does not admit any wrongdoing or liability.

Mr. COMEY stated: "This settlement reflects the

Government's vigilance in ensuring that our federal and state health care dollars are properly spent, in accordance with the applicable rules, for services actually provided to the patients, and that gaming of the system for the purpose of benefitting any provider will not be tolerated. The integrity of our public programs deserves our steadfast protection."

Mr. COMEY praised the investigative efforts of the Federal Bureau of Investigation and the U.S. Department of Health and Human Services Office of the Inspector General in the case.

Assistant United States Attorney SHEILA M. GOWAN is in charge of the case.

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